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**SOUTH LAKE TAHOE MAN CHARGED WITH
ATTEMPTING TO PRODUCE, RECEIVING, AND POSSESSION
OF CHILD PORNOGRAPHY**

SACRAMENTO--United States Attorney McGregor W. Scott announced that DAVID KEARBY CLEMENTS, 49, of South Lake Tahoe, California, was arraigned today before U.S. Magistrate Judge Dale A Drozd in Sacramento on a federal indictment charging him with one count of attempting to produce sexually explicit images of a minor female, four counts of receiving child pornography over the Internet, and possessing child pornography. CLEMENTS was ordered released on \$50,000 bond with supervision conditions pending further court proceedings.

The case was investigated by the Federal Bureau of Investigation, the South Lake Tahoe Police Department, and the California Highway Patrol.

According to Assistant United States Attorney Michelle Rodriguez, who is prosecuting the case, the Indictment alleges that CLEMENTS used a minor South Lake Tahoe girl to produce sexually explicit images. The indictment also alleges in four counts that CLEMENTS received child pornography via the Internet at his South Lake Tahoe residence. CLEMENTS is additionally charged with possession of sexually explicit images of minors. The October 11, 2006 complaint filed in this case alleges that CLEMENTS possessed over 65 images of child sexual abuse.

CLEMENTS faces a minimum sentence of 15 years imprisonment and a maximum of 30 years imprisonment on the charge of using a minor to produce sexually explicit images. CLEMENTS faces a minimum sentence of 5 years imprisonment and a maximum of 20 years imprisonment, per count, for receipt of sexually explicit images via the Internet, and a maximum penalty of 10 years imprisonment for the possession offense. However, the actual sentence will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables, and any applicable statutory sentencing factors. Upon conviction on any charge, CLEMENTS will receive a term of supervised release of up to life, a sex offender registration condition, and a fine of up to \$250,000.

CLEMENTS' next court date is before U.S. District Court Judge Frank C. Damrell on December 4, 2006, at 10:00 a.m.

The United States Attorney's Office noted that the charges are only accusations, and that the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

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